

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MICHAEL ESTES,

Plaintiff,

v.

DAWN JONES, *et al.*,

Defendants.

Case No. 3:21-cv-00214-ART-CLB

ORDER

*Pro se* Plaintiff Michael Estes brings this action under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate Judge Carla Baldwin (ECF No. 69), recommending dismissal of Plaintiff’s action without prejudice based on Plaintiff’s failure to update his address as ordered by the Court on January 31, 2023 (ECF No. 63). Plaintiff had until March 16, 2023 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R, and will dismiss this action.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

1 Because there is no objection, the Court need not conduct de novo review,  
2 and is satisfied Judge Baldwin did not clearly err. Here, Judge Baldwin  
3 recommends dismissal of this action because Plaintiff has failed to update his  
4 address with the Court, which caused multiple mailings to be returned as  
5 undeliverable and which contravenes the Court's express order for Plaintiff to  
6 update his address. (ECF No. 69 at 1-2.) Judge Baldwin further recommends that  
7 Defendants' motion for summary judgment be denied as moot in light of the  
8 recommended dismissal of this action for failure to provide an updated address.  
9 (*Id.* at 3.) The Court agrees with Judge Baldwin. Having reviewed the R&R and  
10 the record in this case, the Court will adopt the R&R in full.

11 It is therefore ordered that Judge Baldwin's Report and Recommendation  
12 (ECF No. 69) is accepted and adopted in full.

13 It is further ordered that this action is dismissed without prejudice based  
14 on Plaintiff's failure to provide an updated address in compliance with this  
15 Court's January 31, 2023 order (ECF No. 63).

16 It is further ordered that Defendants' motion for summary judgment (ECF  
17 No. 56) is denied as moot.

18 The Clerk of Court is directed to administratively close this case.

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20 DATED THIS 29<sup>th</sup> day of June 2023.

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24 ANNE R. TRAUM  
25 UNITED STATES DISTRICT JUDGE  
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